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8 UNITED STATES DISTRICT COURT  
9 WESTERN DISTRICT OF WASHINGTON  
10 AT TACOMA

11 JAMES BALESTRA, a Washington citizen,

12  
13 Plaintiff,

14 v.

15 SAFEFREIGHT TECHNOLOGY (USA),  
16 INC.,

17 Defendant.

No. C08-5093 KLS

ORDER GRANTING MOTION TO  
STRIKE

18 This matter comes before the court on the Defendant's Motion to Strike (Dkt. #27) reference to a  
19 settlement offer which is contained in the Plaintiff's Reply to the Defendant's Motion for Summary  
20 Judgment. The Plaintiff filed his Response and withdrew Exhibit A attached to the Plaintiff's Reply (Dkt.  
21 #24). The undersigned agrees with all counsel that Fed. R. Evid. 408 precludes reference to any  
22 settlement offer and therefore GRANTS the Defendant's Motion to Strike Exhibit A as well as any and all  
23 references to Exhibit A or its contents.

24 DATED this 8<sup>th</sup> day of August, 2008.

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27 Karen L. Strombom  
28 United States Magistrate Judge

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